

CENTER CITY ADMINISTRATIVE DELAY AD HOC COMMITTEE

APRIL 10, 2019

2:00 P.M.

Committee Members Present:

Councilmember Bill Hickman
Councilmember Stephen Holman
Jim Adair
Cameron Brewer
Lee Hall
Keith McCabe
Richard McKown
Byron Morris
Autumn McMahon (via phone)

Mayor Lynne Miller

Staff Present:

Jane Hudson
Anais Starr
Beth Muckala
Terry Floyd
Sara Kaplan
Roné Tromble
Tara Reynolds

Public Present:

Jayne Crumpley
Russ Kaplan
Mitch Baroff
Sally Allen

Councilmember Hickman – I'm going to call this Center City Administrative Delay Ad Hoc Committee meeting to order for Wednesday, April 10th. We'll start with Welcome and Introductions, and go around the room.

We're going to start with the staff presentation. You might recall from our first meeting, I referred to the technical kind of issues and requirements. We'll go through that, have some conversation, and then we have the third piece here, is discussion about what I've kind of referred to as the policy questions and issues for us to talk through.

Ms. Hudson – Welcome everyone. Thank you, again. Autumn, thank you so much; I really appreciate it.

Ms. McMahon – Thank you guys. I appreciate you letting me accommodate my needs over here.

Ms. Hudson – I just wanted to remind everyone, I thought as we went through, I'd have the dates on there. The last time we met was on the 28th, and then, of course, today is April 10. Just a reminder, for those that weren't at the last meeting, that this is the Center City Study Area. The areas that we're dealing with on the Regulating Plan are the Urban General (orange), the Urban Storefront (red along Main Street), Townhouse/Small Apartment (blue), and Detached Frontage (yellow on the west side).

One of the things that we talked about at the last meeting was the discussion about the amendment to have the residential on the ground floor within the Urban General, which is the orange area. This is the actual text that I copied from the

document itself, which I have to say I'm really excited. We were able to get the document transferred into – we have two documents: we have a Word document and we have each section transferred into a Word document that we can manipulate moving forward. Lisa Krieg over in Planning was able to do that. So that is huge.

Councilmember Hickman – Just so everybody understands, this really cool, neat document that we have here that's over 30 pages long – the City did not have the ability to go in and edit it because of the way it was provided by the consultant, the type of software, until very recently and staff working together.

Ms. Hudson – Last week. Right.

Councilmember Hickman – So, while it sounds like something that should be no big deal, it really kind of is a big deal. Go ahead, Jane.

Ms. Hudson – So this text came from the document itself. Within the orange under Use, we had residential uses, but if you guys decide that's how we're going to move forward, we would strike that. Then we would have the ground story is commerce, professional services within the orange. Then also they had this additional accommodation for if you did develop with residential on the ground floor, they had these requirements for height, so we would be taking those out as well.

Councilmember Hickman – Jane, before you go on from that slide, can you go back real quick and show the regulating plan again? Maybe you can tell us, Jane, because everybody can't read those streets – the main streets there are Gray and ...

Ms. Hudson – Gray, part of Main, Comanche, and then coming down James Garner. Then there's some area over here on University and there are some additional restrictions for height in that area. But those are the main areas.

Mr. Adair – Under the CCPUD a property owner would have the right to go to Council and ask for that to be amended still, correct? If we take the residential off, they could still go to Council if they had special circumstances and say they want to change it, or they could take it out of the orange and put it in a different area?

Ms. Hudson – They could.

Councilmember Holman – So the rest of the area, in the blue, the residential would remain allowable on the first level and would still have to have the 3'?

Ms. Hudson – Yes.

Councilmember Holman – This only applies to the orange.

Ms. Hudson – This change that was on that next slide only applies to the Urban General, the orange area.

Councilmember Hickman – And only at the ground floor level. They can have lofts and residential units upstairs. I guess the question is would you envision on Gray Street ground floor residences? Stephen, you weren't here last time. We're doing the two-way conversion. I struggle with that; I'm just going to be honest. Because I think we talk about active street edge and commercial type activity. But that's why we wanted to have this conversation, because Gray Street, to me, is maybe the biggest example of do we want people walking out of residences onto Gray Street?

Councilmember Holman – It would seem abnormal to me. I can't think of any ground floor residential space on Main Street downtown. So it would seem abnormal to me that we would allow it on Gray Street.

Mr. McKown – Small scale retail is really tough, so you're going to end up with office as your primary user, which isn't particularly active. You can activate a street by having a door that leads out onto that street, so if you're going for a walk, or you decide to spray paint graffiti on a building, or something of that nature, you're typically going to go try and find a long blank wall where somebody is not going to pop out of a door just at any minute. There have been examples – a couple of young developers who have been to Norman and made everyone mad, and I think that provoked this whole package to begin with – the famous Elsey brothers from Kansas. They built several buildings in Stillwater, and I've gone to look at them, and they are absolutely not active edge residential, because the doors don't open out onto the street. You've got a long wall with windows, but if you live in one of those individual units you have to go into the hallway and then go 150' to the main gate and then out. So you've got a 300' long building with one door. That is not an active edge, even though it has a lot of windows. So it's not so much pulling the residential use out. Pulling the residential use out – say mid block on Gray Street, you're really limiting the economic viability of a building, because – this all gets into just geometry. How are you going to provide the parking needed for your office tenants? How are you going to provide the parking needed for a restaurant tenant? And restaurant is important to talk about because it's the most viable piece of retail real estate left. The Amazon Effect hasn't really hit the restaurant industry completely yet, although it's coming – the Uber Eats and Post Mates are all having an impact on human beings going into restaurants. I want to caution us about this. When we first started looking at the Level Building that sits between 2nd and 3rd and Walnut and Oklahoma Avenue, the idealistic ideal was retail everywhere. Well, there's absolutely not a market to support retail or office everywhere, and we ended up deciding to make it active edges by having all of those apartments on that floor have a door directly onto the sidewalk. The other thing that's been fascinating – we've had that building occupied now since 2012, and our longest tenured residents are the ones that live on the ground floor and have access directly to the sidewalk. It's interesting in that it provides community stability. You end up with these renters who are perceived as short-term community members, and it turns out that by putting them in that really convenient location, particularly the importance of pet ownership, just step right out onto the sidewalk – what it does is it creates that 18-hour active edge.

This goes back to – if you all will remember when you read Jane Jacobs, *The Death and Life of Great American Cities*, and I know you all have read that book at least once and memorized it. She talks in great detail about the four parks in

Philadelphia. You've got the park that is just surrounded by offices, and that's a very dangerous park that no one wants to go to, because, in her 1960s language, the bums are hanging out in that park every evening once the office workers have crisscrossed and are out of there. Then you have the other park that's just residential, and so the bums are hanging out in that park all day while everyone's at work. The only parks that are all equidistant from the great City Hall in Philadelphia, the only one that works is the one that has this balance of mixed use, and Jane describes in tremendous detail of what happens at 7 a.m., of how people are walking through on their way to get coffee, and then the residents that live there are walking through to go and do this or do that. To make it harder to get residential on Gray Street pretty much will end up making Gray Street develop much, much later and it will probably, when it does, it'll end up being this kind of dark street, because once you put those mixes of uses, the separations required to have fire suppression for the commercial use, especially if it's restaurant, and then you've got all the hood vent exhaust, etc. It really becomes punitive to put residential on top of that.

Councilmember Hickman – Richard, I understand what you're saying. What I'm more worried about is that Gray develops as all residential – that there's no commercial use there. Because technically right now the products that some people are referring to as the duplexes – that could be built on Gray Street on individual lots. Maybe I'm painting the worst case scenario, but I can't imagine this community would want that to be what happens on Gray Street. Coupled with the fact that you have the 3' step up issue, where the stoop would be in the sidewalk. We have to fix something on this one.

Mr. McKown – The 3' stoop thing, I've been irritated by that every minute we've talked about that, that has frustrated me. It's anti-ADA, it's anti-accessibility. It's a terrible thing that got forced into here. And it was forced in here primarily to make it more punitive more than anything else. It is just a punitive gesture that was an attempt to just make it all harder. I can't wait to see that go.

The thing if you had Gray Street – I'm sorry. I have given a lot of my time to this, and I don't have any time right now, so I'm just cutting right through it. The thing about Gray Street, if it were to go all residential and become the support street that people lived on to support Main Street retail, that would actually follow patterns that you see in all kinds of other major cities, where you've got a backbone that is what you have in terms of retail or office and we've certainly got more office than is desirable on Main Street. Then if you had a whole bunch of residential on the flanking streets, then you'd have that nighttime, early morning activity of people that just walk a block and support that stuff. So, yes, idealistically it'd be great to have ground floor retail everywhere, but you've got to have a big building to be able to give that space away. You can find these buildings all over the place in the region, between the Mississippi River and the Rocky Mountains, where ground floor retail is required, and you can have 100 to 200 apartments on top of it, and the space is sitting there empty. Very often you're giving the space away and just treating it as an amenity. We know a little bit about that. You can go up to St. Anthony's – big medical complex there – their retail – that's a 300 unit apartment complex, and it is sitting there with empty retail. If ever there was a spot that ought to be able to support it, but it's going to continue to sit there and be empty for much longer.

Mr. Adair – Bill, maybe we can pull Gray Street out and study it separately. I mean, to be honest with you, I have not focused hard on Gray Street and was not really prepared to come here and make hard decisions on Gray Street today. I think Gray Street is prime for redevelopment for at least two reasons: 1) transportation bond issue we just passed will take Gray Street to two-way in 2022. That makes it much friendlier, to be honest with you, much more of a residential environment if we have desires for it to go that way. The other huge thing, in my opinion, Gray Street has not had the historical caliber of buildings that Main Street had. So to satisfy parking for the last couple of decades, we have taken down lesser structures on Gray Street and turned them into parking lots. The old First National Bank and the old American First Abstract, block immediately north of the Courthouse, the contracts are let; they are in demolition. We're going to get a 390-space parking garage there, probably open, I'm going to guess, in the next 18 months. That sets a perfect stage for you to start then redeveloping some of the surface lots on Gray Street.

I'm agreeing with you. I don't want to see the duplexes we've been seeing in the transition area between downtown and Campus Corner there. But am I going to say it's absolutely not residential? I'm not ready to make a decision on it today. I really want to study it a little further.

Councilmember Holman – I agree with that. I think we need to think about Gray Street a little more, given the bond passing and some of the changes we might see there.

I would just give my perspective a little bit on the 3' thing, and to me that was something the consultant suggested because 1) it fits with the historical look and nature of the rest of the houses in this area. Most of the houses in this area have basements or crawl spaces and front porches. The houses are not level with the ground in this area. Almost all the structures are raised off the ground like this. So 1) historical context. 2) They talked about how, if you're going to have residential on the first floor, and you're going to require the buildings to come out closer to the street, you do not want somebody's bedroom or livingroom being ground level and 5' from the sidewalk. And I agree with that. I would not want to live in an apartment that's 5' from the sidewalk and ground level. So that, in my perspective, is why the 3' requirement was put in there. I understand that it requires a lot more cost and there are ADA problems with it. So I do think we need to be discussing how to address those problems with that requirement, because it is an issue.

Councilmember Hickman – Good. So what we're going to do now, I'm going to have Jane continue on. I do want to have a quick – this was a good discussion on this issue, because it is kind of one of the big policy things that we need to come back to. But I want to have Jane go on with the rest of the presentation for now, and we'll circle back to this conversation.

Ms. Hudson – Another part of the code that we were discussing was this issue about how possibly there was the understanding that, as this code moved forward and redeveloped in the Core Area, it would be done so with block development, as opposed to coming in and doing individual lots. So within Section 402, under the General Provisions, as proposed – this is for you guys to look at – what we've done is,

previously it was 75', and, again, this is going back into whether or not you want the residential on the ground floor. That had been stricken because of the possible change within the orange area, so this is all just preliminary. But for the Urban General, Townhouse/Small Apartment and Detached Frontages, 50' when the total street frontage is 100' or more, or 35' when the total street frontage is less than 100'. So that would help solve the problem because previously it was each block face along the required build line shall present a complete and discreet vertical façade to maintain or create the pedestrian scale for the street-space, at no greater than the following average street frontage lengths, and we had it at 75' for Urban General and Urban Residential. So this is just a proposal there.

Mr. Brewer – Jane, just for clarification. The Urban Residential is stricken because it's included in the Urban General?

Ms. Hudson – Well, in the orange we have the residential on the ground floor. But if we take that out – I'm just trying to clean up the code as we go through it. We wouldn't have Urban Residential within the orange anymore, so that's the only reason I struck that.

Mr. Brewer – Okay. I'm with you.

Councilmember Hickman – If we decide not to take residential out of the Urban Residential orange area on the ground floor, that would stay in.

Ms. Hudson – Right.

Councilmember Hickman – If we decide to take it out, it would come out as she's marked it.

Ms. Hudson – Right. I'm just trying to keep it clean as we move through.

Councilmember Hickman – Does anybody have any problems with the change in the footage? The idea here, as we talked about, we thought we were going to get block development; we're not getting block development, so we're adjusting the footage to accommodate for both larger developments, based on the total street frontage, and smaller ones.

Mr. Adair – This may be an architectural or construction question – would we be better with a range, instead of just saying 50 and 35, to give some latitude? Are we fitting unit widths? I think we're fitting lot widths, and it looks to me like we're just taking 100' and dividing it by 3 on part of it. Go ahead, Beth.

Ms. Muckala – I think I might have something to consider in that conversation. It says average street frontage lengths in there. So, in a manner of speaking, when you look at the average along the block, it could be a range. That was something we had discussed while working on these changes. Whether or not that word "average" needs

to stay in, or if you want to stick with 50' – period – 35' – period. But an average does allow that flexibility.

Mr. Adair – I'm just trying to give staff some reasonable discretion and keep somebody from over 5' having to go to a CCPUD.

Mr. Morris – If you make it a range, then people are going to hit the top end of the range, too. I think the average accomplishes what you want it to do.

Mr. Adair – Okay.

Russ Kaplan – Just to clarify, if you had a 50' wide lot, you're building a 45' wide structure. This would dictate that, because it's more than 35, you'd split it in 2 and it would be 20/20 on the facades? Is that how you read that?

Ms. Muckala – Reading that way would work, yes.

Mr. Kaplan – Or you could go 18/22 if you wanted to break it up and not have it be symmetrical?

Ms. Muckala – Technically, what this says is you cannot go more than 35' in one stretch without changing it. So if the plan otherwise works and fits the code, I should think that would be also workable.

Mr. Brewer – Just a point on striking the Urban Residential, if we do go that route, I just want to make sure that flows into the other parts of the Urban Residential code. That was a pretty important section, because there were height limits along that area. So I just want to make sure we're not getting rid of that designation and the code associated with it altogether. It's not specific in this section. So the Urban Residential area is really along University, and the designation of that area was really more specific to height limits, as much as it was residential. Just to make sure, if we do end up striking it, that we're not getting rid of that section altogether, because there were some important height limit restrictions in the code there.

Ms. Hudson – I believe that to be correct.

Councilmember Hickman – I guess I'll ask the question this way, Jane. Even if we took out residential – we're not proposing to strike the Urban Residential orange category in total?

Ms. Hudson – No. It was just the residential on the ground floor.

Councilmember Hickman – Could we leave it in there and require them to change the façade, or whatever, based on this revised footage in regards of what kind of use is in there – the look of it?

Mr. Brewer – That was really where my confusion was, because if we're striking this in here, then that almost seems to be striking that category altogether specific to this portion of the code.

Councilmember Hickman – I'm not seeing where you're going, Cameron. But just because we maybe don't allow residential on the ground floor, we may still want the ...

Ms. Hudson – But the Urban General is still included.

Mr. Brewer – But on the code, on the regulating map, it's designated as Urban Residential, so it is – unless that's a sub-category under Urban General, and it might be; I may not be reading that correctly.

Ms. Hudson – That's the hatched area.

Mr. Brewer – I think that's something that we can probably look at outside of the meeting. It's just to make sure that that's kind of on the radar there, that we're not removing that from this section, just because we're talking about the first floor residential, because it is a section in itself.

Ms. Hudson – We'll look at it.

Again, this is section 402, and this was previously number 4. By the addition that you just saw on the previous page, these "Individual infill projects on lots with street frontage of less than 100 feet on a block face are exempted from the overall façade composition requirement for that block face," so if we stick with, as presented here, we wouldn't need that item now.

There were several definitions that were not in the code, and this definition of "bedroom" actually came from the Zoning Ordinance that was adopted a couple of years ago. You guys went through and added the definition of bedroom. So we just pulled that definition over.

Then it goes into the establishment of Townhouse/Small Apartments. They had it outlined as "moderate intensity, often created by a series of smaller attached structures – configured as single-family residential or stacked flats" and then, as we've talked about, we continue to get the duplexes. Within the Pink – which I know is not in there, but as discussion, that was represented by the traditional duplex, triplex and courtyard bungalow. Again, none of that was ever included.

So we went through and we have the definition of duplex, which is a "structure consisting of exactly two dwelling units." We've defined dwelling unit, which wasn't previously in there. Small apartment was not in there, even though we had Townhouse/Small Apartment, which is the blue area. We have the definition of townhouse – a "series of three or more attached dwelling units" that we could add, if that's what you guys move forward with.

There was a term in the code as adopted that referred to "common drive". We don't have a definition of a common drive, so we need to get that added.

For the Townhouse/Small Apartment, the discussion requiring the blue to actually stick with the townhouse, small apartment (4 units or more), or single-family residential and stacked flats. We need to determine what we're going to require in there. Are we

going to continue to allow the duplexes? Are we going to actually stick with, as adopted, the townhouse/small apartment and require them to have more than 3 units? Then we need to discuss the restriction for balancing the density, the needs for the surrounding neighborhood by addressing the pervious/impervious coverage, parking needs. I'll go over some of that in a minute. Then the per bed parking requirement guidelines, and maybe some credits, depending on how they're proposing to develop.

Requiring those units with 4 or more bedrooms to supply one parking space per bedroom, and then those units with no more than 3 bedrooms per unit could follow the current parking requirement that's in the code right now. Then also possibly reverting back to the 65% coverage for the lot. We could look at allowing the buildings to be at 40%, additional impervious area would be at 25%. How do we want to set it up?

Then the discussion that we had was the Detached Frontage. I put this in there so you could look at the area that is the Detached Frontage, and I highlighted, within the downzoning that went forward, this area that's hatched here – this area was included in the downzoning and then was flipped back and included in the Form Based Code, and the remaining area was left as the R-1 zoning that it had been downzoned to.

Councilmember Hickman -- Are there any questions or issues or concerns that anybody has – I think the conversation – the thought or the consideration is, because there was an immediate downzoning by the neighbors to R-1, and then within a relatively short period of time we did the overlay and the boundary happened to catch kind of the western boundary of that recently downzoned area, and it's the yellow single-family in the regulating plan – to adjust the boundary to take back out those R-1 downzoned, if you will – the R-1 zoned properties. Does anybody have any issue or concern about doing that? Stephen?

Councilmember Holman – The University-facing properties. None of those properties protested the Center City Form Based Code overlay – being rezoned to that. I think that part of University is a pretty important piece of this Form Based Code. I'm perfectly happy if those houses that are right there right now stay there forever – the rest of my life. I want to think about that section and its importance to the overall deal. If we determine it's not, I'd be fine placing it back.

Councilmember Hickman – Can you show where that is on the map, Jane? I'm having a hard time seeing it from here.

Ms. Hudson – You're talking about these lots.

Mr. Adair – Jane, I know there's been a lot of criticism on the 8 and 9 bedroom duplexes. I think I've heard that some place where they couldn't qualify for a duplex, we had an 8 bedroom single-family built? I'm assuming that's a concern. Getting a lot of head nods. If we pull Center City off of part of this and take it back just straight to R-1, are we leaving an exposure there? I'm sorry, this is just off the top of my head.

Ms. Hudson – They could build an 8 bedroom single-family home now, or they could build an 8 bedroom single-family home whether it's taken out of this.

Mr. Adair – Perhaps we want to leave it in Center City with some modified rules. I was initially leaning toward, yeah, let's pull it out. We put unreasonable restrictions on it. But people keep finding loopholes.

Councilmember Holman – They did consider University to be the main connection.

Councilmember Hickman – Yeah. I understand your point on that, Stephen.

Councilmember Holman – I think Asp is really the main connection.

Ms. McMahon – Just to make sure – I'm sorry to interrupt, guys. We're talking University between Symmes and Main. Is that correct?

Councilmember Hickman – Yes. On the west side only.

Ms. McMahon – Yeah. I know exactly what you're talking about. Okay. Thank you.

Mr. McCabe – With the slides that you're coming up with, with the new definitions, you're deciding to actually put definitions different than what's in the existing book, is what I'm asking, because the definitions you're bringing up are not the definitions that are in the current code. So you're looking at making modifications to the definitions of the buildings.

Ms. Hudson – We're adding the definitions that weren't in there.

Mr. McCabe – So we're changing the language to what a townhome is. I'm just trying to be forthright and honest and – we're changing the definition of what the intent, or what was passed, or whatever – you're trying to now define a type of building.

Ms. Hudson – I'm proposing that we add definitions that are not currently in the code, because some of the discussions that have come up, we've tried to let someone know what a townhome would be, and there's no definition for a townhome.

Ms. Hall – I think this Detached Frontage – the yellow designation on the map – is probably one of the foremost community concerns going forward. It's also my understanding – I wasn't on the original review committee, but that perhaps this area and the Detached Frontage wasn't given quite as much attention as the other areas, and so we ended up having this conflict with the R-1 downzoning that was going on at the same time, because at that time we had no idea whether this was even going to pass or not. I know there's very strong sentiment for, at the very minimum, removing the east side of Park, or changing that boundary of Park. But I also understand your point about University has a little bit different vision going forward. But I just think this whole Detached Frontage area needs some special focus. Whether we change the whole thing, or whether we go street by street. Those are a lot of historic structures in there that have never been protected by any kind of overlay and that's also a big concern, especially when the introduction for Detached Frontage talks about preserving the

historic character of the neighborhood, but we don't really have any way of doing that. We spoke a little bit the last time about the current project that we have on 405 Park, that is going to the Planning Commission tomorrow, and they were put in a position of having to request a CCPUD, because the way the standards are currently it would have been easier for them to just take the house down. Do I have that right?

Councilmember Hickman – Yeah. They would have been required to without the CCPUD. Can you go back to the slide that shows the downzoned area? Say again where is the downzoning? The hatched?

Ms. Hudson – Right. So this was the actual map that was in the file for the downzoning, and this area is the area that was included back into the ...

Councilmember Hickman – So it's Park.

Mr. Brewer – Basically Park to University.

Ms. Hall – Park to University?

Councilmember Holman – I didn't think the downzoning went that far.

Ms. Hall – I didn't, either.

Councilmember Holman – I thought it was just College and parts of Elm.

Ms. Hudson – Here's the boundary on this side, so you've got Park. This is Symmes, Eufaula, Comanche. This is University.

Councilmember Hickman – Did the downzoning go onto one of those side streets, though?

Ms. Hudson – It comes around and wraps around over here.

Councilmember Hickman – I mean in the regulating area. I guess I'm asking the question this way. If we excluded University, does anybody have any concerns about changing the boundary to take out the other parts of the area that was downzoned that appear to primarily be on Park? Richard?

Mr. McKown – I think you've got to go back to Jim's question, because what's to prevent a house from getting built as an 8-bedroom, 8-bathroom single-family structure?

Ms. Hall – I don't think there's any protection either way, is there?

Mr. McKown – Well, we could add some protections.

Mr. Adair – I think we're heading there with Center City.

Mr. McKown – I feel like we should discuss that first, and if we come to a determination that we can't create that protection, then maybe we let it go, and then all single-family is ...

Councilmember Holman – There's no protection there for what could be rebuilt in its place and what it looks like. Form based, at least there's some idea of what it would look like, whatever is rebuilt in its place, but the R-1 there's nothing.

Mr. McKown – There is a house over there that looks like it belongs in an early 90s suburban neighborhood.

Ms. Hall – On Park.

Mr. McKown – I don't know where it is, but I'm like – huh – that doesn't look like it belongs on this street.

Ms. Hall – It's on that block of Park.

Mr. McKown – That would be a legitimate reason to leave it in, just to – unless you want more of that.

Mr. Brewer – Well, I think there's also an opportunity to, on this street, get away from – like we are assuming this entire area has to be form based. Maybe that doesn't make sense on Park. I mean, just because we're using that to name the area – we can put in entirely different definitions that fit the neighborhood to the west. I'm in agreement. I think University does not fit within that same designation. I think that that is an important corridor, whether we focus on University or Asp, or whatever that may be. Park feels different. It's the only street, I'd say, that feels like just truly residential and, in some ways, probably should have historic designation, but – and there's potential that it could – it doesn't seem to fit with anything else in this area. And so, with that, I think getting away from form based on that street might make sense.

Councilmember Hickman – Well, let's not make – go ahead, Keith.

Mr. McCabe – So is the intent of this administrative delay to start redefining boundaries? Is that where we're going? Or are we clarifying language within the Form Based Code that's in place? I guess I'm asking, are we going to start opening up redistricting and moving boundaries and adding streets? Is that where we're going with this?

Councilmember Hickman – From my perspective, to add in an area would be a rezoning that would be a whole new lift. Taking an area out, would not necessarily – there's a difference, in my mind at least, between taking an area out of this overlay versus adding something to the overlay where we'd have to give notice and they could protest and all those things. I don't see us expanding the boundary, but certainly we could consider constricting it. But, obviously, the focus I think is going to be on

dealing with what we have currently and clarifying it, adding to it, subtracting from it, etc. Richard, go ahead.

Mr. McKown – I always hesitate when I'm telling a lawyer my interpretation of the law. It sounds like if I bought a lot over there reliant on the Form Based Code, then we take it out, that that would be a rezoning and that I would have somehow ...

Councilmember Hickman – You're right. It would be, as well.

Mr. Adair – This is not an overlay, is it? This is a rezoning. I think it's a rezoning regardless – if we take some out, it's a rezoning.

Ms. Hudson – If you were to take this out, we would have to notice.

Mr. McKown – Let's stack these things up – big rocks in the bucket. Anybody in favor of 8-bedroom, 8-bathroom single-family residential buildings?

Ms. Hall – No.

Mr. McKown – Okay. So if we're going to try and protect from that happening again – because it's a loophole and it's been driven through. So we want to try and close that. Let's have that conversation, and then if we can't figure out how to close it, then we can come back and go, well, maybe we just kick it back and see what happens.

Councilmember Hickman – I agree. What I was getting ready to say was let's not necessarily try to make a decision on this – whether we take out part of it or not. But I heard somebody say, maybe through the Form Based Code, maybe we can discuss putting protections in for some or all of these – the yellow areas. Because I will tell you that one of the things that I have chewed on and thought about is – and I don't want to get too far off track here – but is having a conversation about do we want to change the designation on University from yellow to something else, if that's going to truly become a gateway. Not that we want to see those historic homes torn down, but the idea, like 23rd Street in Oklahoma City, could those historic homes become a small law office? Could they become Sarah's Cupcakes, or whatever – you know, those small little shops that you see that would create that active street edge. And if we redid University under this TIF to where it's an active area – because it's already got parking lots and it's not all residential. But I don't want to go down that road right now, but that's kind of, I think, some of the conversations we might be able to have down the road.

Ms. Hall – Can I just make one connection to your thought? That's just another way to think about solving the problem. The problem that I think I can accurately represent from the neighborhood is the Detached Frontage and our understanding is supposed to be a transition area, and is supposed to preserve the context of the single-family home and the front yard and the porch and all those sorts of things. However we choose to solve the problem, I hope we can take that into consideration, because currently the way the code is working, and correct me if I'm wrong, Jane, and it's being

highlighted in particular because of this one project – I think we want to have a Form Based Code that supports that transition, supports maintaining the historical context of the area, and right now, the way the code is written – or the Regulating Plan – anytime somebody wants to renovate an old home, they're going to be forced into creating a CCPUD to do it to get around how we want them to do it right now.

Mr. McKown – I think we do want to revisit all of those things. I really haven't spent any time worrying about this piece, because I let Jonathan Fowler totally handle all that back when we were working on this for three years. If there's a requirement to come to a build line, and honestly, I have no idea what it says. Let's fix all of those things to get what we want. What I don't think we want to do is just turn it loose. I'm all in favor of neighborhoods that were built in the 90s with garages sticking out front. If you all want more of that in this neighborhood, then we turn it back to just straight up R-1 and you could easily have that, because every week The Oklahoman publishes floorplan of the week, and it's always that house – front-loaded garage, etc. We should spend some time on it and get it as good as we can possibly get it.

Ms. Hall – Yeah. If we can move toward protecting the character of the existing single-family home neighborhood, which is the intent.

Ms. Hudson – I just want to clarify, Lee. Within Section 208, Non-Conforming Structures – “Repairs, remodeling, and additions to the structures may be made in conformance with previous base zoning district ... so long as the addition is not greater than 50% of the square footage of a non-conforming structure.” One of the factors that they have is that existing home is rather small, so the addition that they're putting on kicked it over that 50%. Had it been less than that, they would have been able to make those additions. But, yes, if they didn't go forward with the CCPUD and they wanted to, they would have to demolish and bring it to the front.

Ms. Hall – I would suggest that that is not unique to the neighborhood. I mean, anybody that would want to go in and renovate and remodel and actually occupy it as a single-family home, they are traditionally smaller. So I'm guessing that that's just going to continue to be an issue.

Councilmember Hickman – Hold on. What you read was for all the yellow area, right?

Ms. Hudson – No. That's just for the non-conforming structures.

Councilmember Hickman – In the yellow area? Or in general?

Ms. Hudson – In general. It says “Non-conforming structures within the Center City Form District may be altered or repaired” in conformance to the following schedule.

Councilmember Hickman – Okay. So the reason I think that cap was in there at 50% is that there is a lot of this area that the underlying zoning is R-3. The concern was leaving the other back door open, where you could buy an old cottage, or something, and remodel it and build what we thought we weren't going to be getting, which we're

kind of getting now, anyway – and build the student housing model duplex thing. So that's, I think, in part why that cap – another idea also was if you're doing more than 50% remodel or addition, then this is a redevelopment initiative in large ways, that we did want to be able to scrape it and build something new – build it under the Form Based Code. So there was a balancing there. The truth of the matter is, my recollection, because I think I changed this the night of Council – it was 10% and we kind of fell at 50%, in part because of Main Street and the historic buildings on Main Street, and thinking we didn't want necessarily to have to tear all those down, but also in part for trying to help to have a way to preserve some of the historic structures. Maybe the Park house was just an anomaly because it was so small and they were making such a big addition that they had to do a CCPUD. I would be hesitant – or think we need to have a conversation about taking out the 50% trigger, because you might be then opening up a back door for another different kind of unintended consequence. I don't know. I'd have to think about it.

Ms. Hall – Well, it's a lot harder for me to figure out the technical way to accomplish that. There are better heads in the room than I on that. I think the overarching goal should be to the spirit of what was intended, and I just don't think that's what we're seeing or we're going to see in the Detached Frontage if we don't make some changes.

Mitch Baroff – I live on Park Drive and the 405 Park Drive house – I was told on the 50% factor most of the addition would have to be in the front of the house, rather than in back of the house. I sold the house at 418 Park three years ago now and the owners doubled the size of the house, for themselves. It only had the one bedroom, so they just made the house from 1,450 to probably close to 3,000. It was a good example. Maybe we should have an option to go back to R-1 for setbacks and stuff when we really need to, so the houses have the same general look and setbacks.

Councilmember Hickman – I got you. I'll put my lawyer hat on, I guess. Maybe a potential solution for this immediate issue is that the 50% stays, then we have "provided, however, if the street façade, the character of the structure remains the same, or the addition is not visible or not abutting the streetway, then it may exceed the 50% threshold." Basically, be like the Park deal. If you're adding on in the back and you're not tearing down the structure and the front stays the same – we want to keep that character – then you can go to 3 times as big as it is currently. Think about it, and we'll have Jane go on so we can get through the rest of her presentation.

Ms. Hudson – I just need some additional information on the table. Beth, with Legal, has a comment about when we were talking about adding security measures for the 8-bedroom single-family homes and stuff like that, and there's a bill moving forward.

Ms. Muckala – Right. I just wanted to make sure that got in your information chain. House Bill 1032, last I checked, was before the State Senate, and it concerns municipal, county, or other body regulation on single-family residences, specifically the design of them. It's a pretty direct preemption bill that says you shall not pass any regulations specifying the design elements of single-family residences. Among the specific things

that cannot be done is limiting the type or number of bedrooms. I actually didn't check it today; I'll get an update on it, but it was moving through pretty handily the last time I checked. So that would directly address this type of Detached Frontage within the Center City Form Based Code. One thing that's important is that it is not completely retroactively preempted; it only applies to measures passed after a date that is actually after the date this code was passed. What we have now is not subject to this bill if passed. However, any changes we make need to be made with this in mind. If we get into the nit-picky design elements, we want to be sure that we're keeping this language in mind.

Beyond that, I know we're talking about bedrooms a lot, and you are correct that even outside of Center City nothing is to stop someone from building a single-family home with just umpteen bedrooms and that many bathrooms to go with it, because there's also a noticeable trend of bathrooms for every bedroom, regardless of whether it's single-family or it's a rental. So some of what is in the amendment that I brought to you in the textual changes of the code addresses it – the Jane presentation addresses it kind of like a three-pronged attack, for lack of a better term. But density is more the issue. Are we looking at more parking for each bedroom, going back to previous coverage requirements, and addressing it totally from the standpoint of density, as opposed to just a bedroom limitation? So I just wanted to throw that out there so you knew it existed.

Mr. Adair – Beth, do you know the background of the bill? What's motivating the Legislature to want to preempt municipal zoning?

Ms. Muckala – I don't have a lot of information on that yet. We have some more information coming in from OML and hope we get more background on it. But because of the date of effectiveness, I would not say that it is in any way the Center City Form Based Code – at least no indication of that.

Russ Kaplan – As long as the addition is not more than 750 square feet or 50% of the original footprint, whichever is less.

Councilmember Holman – Park Drive house Center City PUD wouldn't qualify for that addition if it was in a Historic District.

Councilmember Hickman – That's correct.

Councilmember Holman – It would be too large.

Ms. Hall – And that's my concern with what you just asked me, is the size and scale and they want to triple the size of the house. Unintended consequences, also.

Mr. Adair – I think there are times when we try and write a rule as well as we can, and ...

Councilmember Hickman – Somebody still doesn't agree with it.

Mr. Adair – That's why they have the option to go to Council and present their case in front of the nine people.

Councilmember Hickman – I don't have any problem giving them a CCPUD. That's the point at which you address those unique situations, and it's the way – we're not going to be able to foresee every possibility.

Councilmember Holman – I was just thinking that reminded me of the Glen Brown issue on Chautauqua and that addition that he added to the house was pretty large. Right? Larger than the original house.

Ms. Hall – Oh, yes.

Councilmember Holman – But he was somehow able to do that. I know that was a big controversial deal.

Russ Kaplan – Before the guidelines were in place.

Ms. Hudson – Another item that was thrown out at the last meeting in general discussion – the Urban General and the Urban Storefront Frontage, we've had two applications move forward with a CCPUD request regarding the clear height in the commercial district. Within the Urban General, the ground story shall have a clear height of 12 feet. What they did is they went from 12 down to 10. Then within the Urban Storefront, the minimum ground story clear height is 15, and through their CCPUD they went from 15 down to 12. So what people were talking about at the last meeting was, and at Council I think occasionally, do we want to give a minimum and a maximum in this? Or do we want to leave it like it is? Do you want them to have to come to City Council and let you guys take a look at it before we say yay or nay?

Councilmember Holman – I guess the historical context on it was that most of the buildings on Main Street the first floor is a higher ceiling. And just to keep a consistent look with the street and the historical context, that's why it was in there. I understand that builders – that extra 2 or 3 or 5 feet is apparently significant in cost when it comes to the height of the building and things like that. I don't want to get rid of it, because I think we need to try to keep some of that historical look, at least on Main Street anyway. I don't know if we need to require it in other places. But I would like to keep it and find a way to have a range, or whether we review each one – I'm not sure.

Mr. Brewer – To that point, was there discussion in the committee of what the matching look on Main Street is? Like what those heights are. Is that 12' and 10' on floors, because I think – I know that not all buildings are the same, and you may have a better sense of what this looks like along the edge.

Mr. Adair – You've got a lot of 14' ceilings on the ground floor.

Mr. Brewer – Because I think if the intent is to have a look like the rest of Main Street, then that's a pretty easy call to match what that minimum height should be. And if

that's the reason 15' was in there, then I think that that's important. If it's actually 13', then that may be a place that's worth – or kind of a starting point for discussion. I don't know if, Richard, you had any context of what you remembered there?

Mr. McKown – Which building had to bring these down?

Ms. Hudson – Dr. Bird's went from 15 down to 12.

Councilmember Hickman – On Main Street.

Ms. Hudson – And then the mixed use building over on James Garner and Apache went from 12 to 10.

Councilmember Hickman – So our Urban General, I don't think there's a standard. I mean, there's not – I guess there is on Gray Street, if you look at it from that perspective. The question I actually had, I think, way back in the time, was Gray Street and Main Street different as far as this height deal, because those look kind of the same to me, but I'm just an average yahoo looking at the building. So I wasn't exactly quite sure. I understood why those two were different between Main and Gray. I understand that Urban General is other streets besides Gray, but that's the most noticeable one. Does anybody know, are those different?

Councilmember Holman – The look is that you have the door height on most the buildings on Main Street, you'll have the door and then you'll have that 5' of windows above the door that's like a band right there, and then the second floor starts above it. So the intent was to keep that look, because the first floor of all those buildings have high ceilings.

Mr. Adair – To the best of my knowledge, downtown has been preserved in its historical context without zoning restrictions, without an historical district, without architectural controls. Gabriel Bird's building is the first new construction downtown since 1973, I think, when the Republic Bank building was built. We just remodeled what was there.

Councilmember Holman – Gray Street only has one two-story building, that law office across the street from here. It might have the high ceilings inside of it, it just doesn't have the windows on the outside that show it.

Mr. Adair – The project across from City Hall – I can't remember exactly when it was built – very much in the feel of Main Street, set back with parking in front of it is the big distinction over there. It's not pulled forward like a lot of the stuff would be.

Mr. McKown – I wanted to answer your question. The difference between Urban Storefront and the very high – it's pretty much a standard for how to create a walkable street edge with retail storefront somewhere between 14 and 16 – we landed on 15. Okay. 14 might be a better number, because it's divisible by 2 and we build buildings out of 4' goods. So 15 is awkward. The 12 – the reason it's shorter is because you do

have the allowance for residential. 14' residential – that's really tall – that's crazy high and it makes for really tall stairs. 12 is not unreasonable.

Mr. Adair – The distinction on Gabriel's building is it's office – it's ground floor office space and the standard there typically is 12, not 15.

Mr. McKown – Yeah.

Mr. Adair – It was not built as retail.

Mr. McKown – Had our number been 14', they might have figured it out and just said it's 14'.

Mr. Adair – Is that the only exception they did, Jane?

Ms. Hudson – For these two PUDs?

Mr. Adair – For Dr. Bird's building. Was ceiling height on the ground floor the only exception?

Ms. Hudson – There was something else about the fencing, I think.

Councilmember Hickman – The gate or something, I think.

Mr. Brewer – That was the primary exception, though, that was ...

Ms. Hudson – Richard, I want to make sure I'm understanding. So going back to that slide that I had at the very beginning. So within the Urban General, if you're doing residential on the ground floor, you're at 9'.

Mr. McKown – Oh, okay.

Ms. Hudson – So that's the difference between – the finished floor elevation shall be no less than 3, which we've talked about, but the ground story shall have a clear height of at least 9'. So that's accounted for in the orange for residential on the ground floor.

Councilmember Hickman – So what I hear at least Richard saying, on Urban Storefront 14. If nothing else, it's a foot lower than what we had and it's an even number.

Ms. Hudson – I just have a question. If we take it down to 14, is that going to help them to not have to come forward for a CCPUD? What my question is: what's the cost impact for someone – Dr. Bird – having to meet the requirement of 15? What kind of impact would that have been to him, had he been denied?

Councilmember Holman – He indicated it was a deal breaker. He was not going to build the building if we didn't give him that exception.

Councilmember Hickman – It had something to do with having to go to steel, or something. But he's building, whatever, two and a half stories or something. I don't know if that played into the ...

Councilmember Holman – His builder told him he would need to go to steel if we required that, based on the 3 story height. I don't know how many feet it is. It may not have been true. He may have just been ... That's what Dr. Bird did believe.

Ms. Hudson – If we take it down to 14, is that going to stop people – and I'm not trying to stop them to get a CCPUD. I'm just trying to think, if we make that change, does it really make a difference.

Mr. McKown – The new La Baguette on Walnut between 3rd and 4th Street is an all wooden building, which is amazing. Like the restaurant is in a wooden structure and wooden apartments above it. They do cook in there – like there's fire everywhere. It's amazing! Three restaurants, actually: Grey Sweater and Black Walnut and La Baguette. It's in Deep Deuce, Oklahoma City. I'm almost certain that it's 14' tall ceilings, at least. They're really high ceilings in there. I think you've got to read the code books a lot to get the answer you're looking for. But I think 14 would be a great ...

Councilmember Hickman – Keith, you're the builder guy. Do you think – being an even number, does that make it a little bit easier?

Mr. McCabe – Well, obviously, an even number is more cost efficient, because we buy in 4' sheet goods. Everything comes in 4s. I can't speak for the structural integrity of going to metal to wood by doing the span. But any time you have even numbers, it's more cost effective.

Mr. Floyd – Some additional consideration and discussion with our Code and our Fire officials about the implications of what that might be. Maybe there is a better point in which that would change from a code perspective, because that probably kicks in a lot of the changes in structure and fire separations and that kind of thing as the building starts to go higher. Understand where those limits really lie, at least as far as the code and fire code are concerned.

Ms. Hall – Just going back to the spirit of what is intended and mentioning about the reason that those numbers were chosen in the first place was to try to maintain the form and the historical context of Main Street, which I think everybody would agree we want to preserve as much as we can, I'd love us to retain that higher ceiling height if possible, just on the record.

Mr. Brewer – And to that point, I think that I appreciate that the building is there, but I think that we need to do what is right for the look, rather than chasing one building at a time just because it's not something that may make sense economically right at that point in time. This goes back to what I said at the previous meeting, this is a 30-year plan; this is not a one or two year plan, five year plan. There are always ways to build a

building differently, whether it's within the model of who you have as tenants in the building, what type of mixed use it is. So there may have been other changes to that type of building that could have been possible. Maybe the 15 versus 14 could have made the difference there. Maybe that wouldn't have been enough and it wouldn't have been built. But, again, long-term vision, that will fill in over time. Making those allowances creates gaps in the future as to what that should look like. Just something to keep in mind when we're looking at short-term projects and economically what makes sense in that moment.

Ms. Hudson – So we're doing closing now. I just have a couple slides – I left this in there from the last meeting, just as a reminder. I don't want anybody to forget, we still don't have any plans really for green space, public plazas, and open space within the code, itself.

The discussion for evaluate the impact of density. Assess the vision – whether we're moving forward, meeting that vision. The impacts on the public infrastructure – which I believe the next meeting is planned to have the discussion for the TIF. Impacts on adjacent properties. The evaluation continuing on for the inconsistencies within the code. And then I think, within the code itself, we need to have something that's saying that we need to have a periodic review of this document. As Cameron said, we're looking at a 30 year document, and see which direction it's going.

Again, for the additional discussion, you guys have a blank calendar in front of you. I left the timeline up there just to remind everybody where we are, working backwards. But I thought it would be helpful.

Autumn, are you still there?

Ms. McMahon – I am, indeed.

Ms. Hudson – I sent you the calendar. Right? Were you able to pull that up?

Ms. McMahon – I'm looking at it right now. Thank you.

Councilmember Hickman – So when you said a timeline for a final report, June 6, does that mean the work product that staff is going to prepare, based on these meetings? How much lead time do you need to pull that together? A couple days? A couple weeks?

Ms. Hudson – A few days. I'm hoping that, as we move through this, we'll be able to – now that we have the document in a format that we can edit – we can easily do those changes and have it ready to go as we continue on in our meetings. Have updates. We'll have different copies saved that we can go back and edit. I'm hoping that we can tweak this as we move along. It would sure be a lot better. That way you guys can have a copy to look at as you continue to come to the meetings and discuss the items. But we would have to probably do a special meeting and then, like I said before, we would be looking at an emergency ordinance, just to make our six month deadline, which I believe is July 29.

Councilmember Hickman – Okay. So we're not done.

Jayne Crumpley – Where are public meetings being scheduled in this meeting schedule?

Councilmember Hickman – I don't know. We'll talk about that, to be honest with you. There will be public meetings through the Planning Commission and City Council part. I know that much. But as far as between now and whenever we finish our final report, I'm not sure. We can talk about whether or not we want to have one while we're still in our ad hoc committee phase.

So I think we've got work to do. Just to start penciling in some follow-on meetings – and then we're going to spend the rest of the time – I'm going to start leaning on you guys – hammering on some of these issues. April 22 – how does that day look for folks?

Councilmember Holman – Depends what time.

Mr. Adair – Earth Day.

Mr. McKown – It's a Monday.

Councilmember Hickman – Technically, Easter Monday, also. Stephen, you said something about time?

Councilmember Holman – Yeah. Earlier time would be better, probably.

Councilmember Hickman – How early?

Ms. McMahon – For me, as well.

Councilmember Hickman – Okay. How early? 8? 8:30? 7:30? 9?

Councilmember Holman – Any time.

Councilmember Hickman – Autumn?

Ms. McMahon – 9 would be great for me, as well.

Councilmember Hickman – 22nd. I know that's a Monday. 9 pm at the Garage? Jane, can you all make that work?

Ms. Hudson – Yes. Absolutely. I want to go over what you guys want to look again before we ...

Councilmember Hickman – Oh, yeah. We're just penciling some things in right now. We're not done. I'm about ready to start putting people in headlocks.

Ms. Hudson – So we know one of the topics will be the TIF.

Councilmember Hickman – So that will be the next meeting. It will be April 22nd at 9:00 a.m. here at City Hall. The new item on that agenda for a matter of focus will be the TIF and infrastructure, and then whatever additional carry-over items that we have. You might remember last time – Autumn, I know you weren't here – we broke the discussion into five main categories, if I say this right: Infrastructure; sort of the technical changes, which is in part what we are doing today; architectural designs; parking; and housing types and density. We've got a little bit of housing types and density on the agenda today that we're talking about. Next meeting we'll introduce the new item of infrastructure, which is the TIF, and then probably continuing discussion on code issues and housing types.

Let's flip our calendar over to how about May 6th or 7th?

Ms. Hall – I won't be here.

Councilmember Hickman – How long are you gone?

Ms. Hall – That whole week.

Ms. Hudson – What about May 3rd?

Councilmember Hickman – How about Friday, May 3rd?

Mr. Brewer – I'll be out then.

Councilmember Hickman – Thursday, the 2nd?

Mr. Adair – I can't do that one. Sorry.

Councilmember Hickman – May 1st? Autumn?

Ms. McMahon – I am on maternity leave until June 5th, so I will likely be calling in for most of these. But I am very open.

Mr. McKown – I can't do the 1st at all in the morning. I could do the afternoon.

Ms. Hudson – 3 to 5?

Councilmember Hickman – Hold on one second.

Ms. Hudson – 2:30 to 4:30?

Mr. McKown – 4:30 to 5?

Councilmember Hickman – So we said the afternoon on May 1st?

Ms. McMahon – Afternoons are much more difficult for me. Anything after 4:00 is a conflict for me.

Councilmember Hickman – Richard, could you start at 2?

Mr. McKown – Yeah. Sure.

Councilmember Hickman – So 2 to 4?

Mr. McCabe – Just know that this conflicts with what we just scheduled at the other meeting. Just so you know.

Councilmember Hickman – We do that one 12 to 2. I didn't set a time, yet.

Mr. McCabe – You had mentioned 12 to 2, or 12:30 to 2:30, so just as long as you know that that's there.

Councilmember Hickman – I may do like I did today and back them back-to-back. Thank you for pointing it out to me. I looked at my calendar and I saw that.
May 14th?

Ms. Hudson – That's Council day.

Mr. McKown – Makes it extra fun.

Councilmember Hickman – Does that make it ...

Councilmember Holman – Should be fine.

Ms. Hudson – Could we do the morning? If we do the 14th, could we do the morning?

Mr. McKown – I can't.

Councilmember Hickman – Monday, the 13th? On Monday, the 13th, can we do like 11 to 1 and I could maybe see if we could get the City to get us food?

Councilmember Holman – Out of town that day.

Mr. Adair – It's Chamber Board.

Councilmember Holman – McAlester filming a commercial for Wagner and Lynch, Attorneys at Law.

Councilmember Hickman – How about Wednesday, the 15th?

Mr. McKown – Afternoon?

Councilmember Hickman – Can we make a lunch work – 11 to 1?

Mr. McKown – 2:00?

Councilmember Hickman – What did you say about the 15th?

Mr. McKown – 2:00.

Councilmember Hickman – Okay. But you can't do the 14th? So the 15th – 2 to 4 or 3 to 5?

Mr. McKown – No, 2 to 4 for Autumn.

Councilmember Hickman – 2 to 4.

Councilmember Holman – On the 15th.

Councilmember Hickman – On the 15th. Alright, Wednesday, the 22nd? I'm going to get you guys booked up while I've got you, just in case. Now I'm going to start going every week.

Ms. Hudson – Wednesday, the 22nd we cannot do the afternoon.

Councilmember Hickman – How about lunch? 11 to 1 on the 22nd?

Mr. Brewer – I can't do that.

Councilmember Hickman – How about Tuesday, the 21st?

Mr. McKown – Did you say lunch, 11 to 1?

Councilmember Hickman – On the 21st? Holy Moses! Jane, can you get us lunch. Can we ask – where's Brenda? Terry?

Ms. Hudson – So this is the 21st at 11 to 1?

Councilmember Hickman – Okay, so Tuesday, the 21st, Center City Form Based Code meeting from 11 to 1, lunch will be provided.

We won't meet on the 27th. That's Labor Day. How about the 29th? Might be our last meeting.

Ms. McMahon – I will be out of town on the 27th.

Mr. Adair – 29th. Wednesday.

Mr. McKown – She's leaving and not coming back.

Councilmember Hickman – Will you be in town on the 29th, Autumn?

Ms. McMahon – No. We'll still be out.

Councilmember Hickman – You're gone that whole week.

Ms. McMahon – Yes.

Councilmember Hickman – Could you call in?

Ms. McMahon – Yeah, I could. Good point.

Councilmember Hickman – I know I'm going to interrupt your vacation.

Mr. McKown – It seems like you're out of town right now. I'm totally imagining you on the beach.

Ms. McMahon – We are. We're on the beach. I just lied about the maternity leave, Jane. Taking a 3-month beach vacation.

Ms. Hudson – So did we say 29th?

Mr. McKown – At 2 pm.

Councilmember Hickman – So the 29th and the 30th are the – I want to give a little bit of cushion after Memorial Day, so not the Tuesday – so the 29th or 30th are the days that I'm looking at. How flexible in times are we on those days with people? Any preference in day or time on those days? Richard, you're saying 2 to 4 on the 29th?

Mr. McKown – Yeah, I can do that, or I can do the afternoon of the 30th, also.

Councilmember Hickman – Could you give me another lunch?

Mr. McKown – Yeah, on the 30th.

Councilmember Hickman – I don't mean to be difficult. That's easier on my schedule if we could do it over a long lunch hour.

Mr. McKown – Yeah, can do that.

Councilmember Hickman – So Center City Form Based Code – Autumn, I don't know if you're in a different time zone. Can you ...

Ms. McMahon – I can make either one of those work.

Mr. McKown – 5 hour time difference from Hawaii.

Councilmember Hickman – You can be at the bar, just put your earpods in. That's what I do when I listen in on conference calls.

Ms. McMahon – We will not be in Hawaii; we'll be in Iowa. Very similar, though.

Councilmember Hickman – Okay. Center City Form Based Code from 11 to 1 on the 30th. We won't schedule past then, because hopefully by then you all will be worn out and sick of me and we'll have things done. But, if we need to, we'll squeeze in one more. Ideally, that would then be where we make final decisions and then give staff time to get the report done by the 6th. That will give them a week.

Okay. So Jane will make sure that the rooms are reserved or whatever all we need to get done. Staff will. And we'll send you all those dates so you can make sure and have them on your schedule.

Okay, so now let's go back. Jane, let's go back to slide 5.

Let's talk a little bit more about Urban General and orange. Right now, if we allow the residential on the ground floor in the orange, that there's 3' step-up, and I think, like Stephen has said, there is historical reason for that. Also, in creating that different look than what we had before, but I think probably the most important thing is that we're bringing these buildings up to the build line. We don't want potentially bedrooms on the ground floor where people are walking by and the bedrooms are right there. So I don't feel like there's really a walk-around on the 3' step-up, but the concern, and part of it, I first learned of this, was when we did have one of the projects down on James Garner that was residential and we had to jump through a lot of hoops to get a license, or whatever it was – a document through Public Works Department to allow the stoop to be in the right-of-way. That got me thinking, and I actually said when I was there at one of the Design Review meetings – and Autumn, you may or may not have been there – I may not have said it out loud to the whole group, but I was like, well, what are we going to do on Gray Street. Are we going to have stoops out into the middle of the sidewalk, because that's essentially would be required right now under this Form Based Code, as it's drafted. I understand what Richard said in his comments about the concern about small retail. I guess it's possible they could also become office. I will say that another possible solution here is to make Gray Street red, which doesn't allow residential on the ground floor, either. But it makes it the same as Main Street. I don't know if the appetite is more appealing to go one way or the other. But if we do have to change something in this area, whether it's leave residential but then change the build line and something else. We have a problem here that has to be solved, because there is definitely an inconsistency that we've already had to deal with once, and it was a pain in the rear for the builder, for staff, and, frankly, for Council, because we had to then not only approve the CCPUD, but also then had to come back later and approve – was it a license agreement? Revocable license to put the steps in the area. I just want to put that out there. I'm not going to push and say we've got to solve it right now, although I'd like to start scratching some things off the list. But I'd like to get a feel for talking about Gray Street in particular. Do we have any appetite to talk about going to red? Or leaving it orange and further thinking about not having the residential on the ground floor, knowing that residential could be built upstairs, which is like what, Jim, you've done in some buildings right now, like as lofts. I think that works. Comments, anybody? Stephen, what do you think?

Councilmember Holman – Yeah, I wouldn't be opposed to that. I'm not opposed to the idea of somebody building like a brownstone on Gray Street, if it looked nice and urban type building – it looked like a Main Street commercial building, but it just happened to be residential. But I think, in that instance, it would need to be raised off the ground, and that stoop coming out in the sidewalk, compared to the setback, would be an issue.

But I hate to restrict Gray Street to just commercial, because it could be a ...

Councilmember Hickman – It's mixed use. The upstairs could be.

Councilmember Holman – Yeah. Exactly. I think that's appropriate for Gray Street, is for commercial on the bottom and residential on top. I'm not a builder, though. But that's what I would envision. To me, especially with Gray Street two-way – we were pretty clear that our intent of that project was not just to make Gray Street two-way, we want Gray Street to look like Main Street looks like: the sidewalks, the street furniture, the lights, everything. We want Gray Street to look like Main Street looks. To me, the type of buildings that we'd want to see on Gray Street at some point would be like that. So I hate to put in code that we can or can't do a certain thing, and then something comes up and somebody's got a project and then we don't allow them to do it. But even in that case, they would still have the CCPUD to come and say, well, I've got this really unique project. I know Gray Street is red and it's commercial on the bottom and residential on top, but I've got this great project. What do you think? Maybe we would make an exception. I don't know.

Ms. Hudson – So within the blue – the Townhouse/Small Apartment – on page 32, if you look at the Ground Story Height, under number 3, it says, "Main entrances may be at grade, with transitions to meet the minimum finished floor elevation within the building interior." Now I'm looking to the design professional on this, but what if we put that allowance within the Urban General? If they're going to put residential on the ground floor, that would give them the ability to have the entrance at grade, but then they could go up once they get into the interior. Is that not a workable plan?

Mr. Morris – That doesn't seem to get around what Richard was talking about earlier, about it's still punitive. You're still having to build 3' up, except for the entrance.

Mr. McKown – Yeah. I'm closing on a building tomorrow that was built in 1930 at 11th and Robinson in Oklahoma City. You have to go up 5 stairs, there's a landing at the front door, and then 5 more stairs to get in. Then there's the elevator. Or you can come in the side and go down 5 stairs to get to the basement elevator.

I was blessed to grow up with Mike Deskin as my dad's best friend and business partner. He was blown up in Vietnam and was in a wheelchair my entire life. The very first thing I think about every time I come up to a building is how would I get Mike in this building? We've built tons of houses for Mike over the years. There is no way to get Mike in that building. It used to be Lawyer's Title. Picture this building. Beautiful old limestone – amazing old building in Oklahoma City. So the first thing we're going to do when we start remodeling it, is we're going to cut a brand new elevator into the

building – 5 stories up and down – and create a new entry off to the side. That was the very first thing in our due diligence. Other people have looked at the building and said, oh, you run a ramp all the way around. That only gets you in the door, and then you've got another 5 steps to get on up.

This is about building buildings that can serve everyone always. If you look at the issues around accessibility, it's just like can you just get in and pee? It's put into that kind of just fundamental, simple language. If your grandmother is coming over for a visit, can she just get in and pee? Those restrictions – getting into a bathroom, having wide enough doors – it isn't going to work. I believe that Councilman Holman is absolutely right. The spirit of this was to keep it up, create defensible space. You want to have your finished floor higher than the sidewalk to create that defensible space, so that you're up looking down on the sidewalk, and the sidewalk is not looking into your bedroom or your livingroom. But that can take place within like 15", and that still would leave you the ability to go around to the back door and possibly still be able to get in with an ADA threshold, etc., and maybe it's a couple of steps down onto the street. The 3' is the part that really bugs me. Your building grade just to get to your alley – you're going to set the building finished floor below the alley. Almost everything in this entire area, the alley is higher than the sidewalk is. That's just kind of the common practice in this part of town. It's not like that everywhere in the world, much less Oklahoma City. But I think that's relatively true here. You're going to bring the building up. You're coming up into this thing. You're going to be a little bit above the sidewalk, anyway. Probably 16", and that's going to create enough of that defensible space that you will be able to work out your ADA issues coming in from the back door. But this 3' thing is just really punitive, and I think it was a number that we haggled over, and I don't think it needs to be 3'. Honestly, I think you take it out and let the physical environment, and good building practices, and good drainage plans – let what happens happen, and you're going to end up with the buildings high enough above the sidewalk to create that historic experience and walkable edge, as well as create defensible territory.

Ms. Hudson – Just throwing things out here to let people talk about it – but, again in the Urban General, under the Siting, we talk about that "On each lot the building façade shall be built to the required building line for at least 75% of the required build line length." What if we reduced that? What if we gave them an allowance to set that back a little bit? I'm looking at one of these pictures here. Clearly, there's a green space area between the sidewalk and the building itself, so that would give just that much more separation. Like you said, if you had 18", but you had 2.5' or 3' back from the sidewalk and you had a green space area, what would that do?

Councilmember Holman – I'd be real concerned about that on Gray Street. On Gray Street or Main Street, I don't want there to be any space between the sidewalk and the buildings. To me, the buildings have to come to the street. Now, in any residential side street, that could be okay, in my opinion. But on Gray Street, there needs to be no disconnection between the buildings and the street. And 2' of green space can make a big difference in an urban environment, in my opinion.

Mr. Adair – We talk about the required build line a lot, and the only two areas I think that we've actually got it are downtown and Campus Corner. I don't think we have it anywhere residentially, really.

Councilmember Hickman – We're getting it in this area now, though.

Mr. Adair – We are. Going back to the visual preference surveys and the charrette, they showed us a lot of pictures of row houses and brownstones in Boston and Philadelphia, and everybody thought they were gorgeous. We've just never had them here. It's a huge transition. Again, everything on Main Street, you're entering on Gray. You're right, we do have a lot of alleys that are higher and, believe me, it's a headache.

Councilmember Holman – I like the row houses on Apache – the ones that look exactly the same and they – it's not an entire block, but it almost is, and I think it looks really good because they all look the same. They aren't looking like they're trying too hard to be too architecturally cool. The only thing that looks a little bit out of place on them is that the stoops are made out of iron – steel steps instead of brick, like the rest of the building is made out of. But, to me, it looks good and they are 5' from the sidewalk. When they're all in a row like that, when there have been several of them built in a row, to me it looks good.

Mr. Adair – Are you talking about new construction?

Councilmember Holman – Yes. On one side of the street, you have what was being built before Center City – the two-story ones with the porch thing on front. I don't like those.

Councilmember Hickman – They're 6" above the ground.

Councilmember Holman – Yeah. And they don't look good. Across the street, you have the Form Based Code row houses. There's four of them in a row. They look exactly alike. They have brick facades. They don't have the wood and all mixed up thing. I don't personally really like that – them being all broken up like that. I like the all-brick look, and each side can be a different color brick. That's fine. But those are the best examples I've seen so far and I like the way they look.

Councilmember Hickman – They'd be even better if they had gone lot line to lot line.

Councilmember Holman -- If it was a continuous block of it, I would like it even more. But I like the way those look.

Mr. Brewer – Something we discussed in the last meeting was going lot line to lot line without the separation between those, because that does create an awkwardness in how that looks right now, too.

Richard, I do hear what you're saying on a 3' – I think that that's almost a different discussion than what we're trying to discuss here. Because if we're looking at

Urban General, I agree that the 3' stoop does not make sense in these areas. This is supposed to be more of a commercial look, and if you're talking about look alone, a commercial look, a 3' stoop on Gray Street does not make any sense. I think that probably goes for James Garner as well if you're trying to create an urban connection between the two. I've been thinking more to Richard's comments, and I had always had a concern with watering down retail, and I think that there is something very strategic about only including Main Street as red. Even as is, Main Street has long blocks. Four blocks along Main Street is a large commercial district. If you look at Oklahoma City commercial districts, they are a block or two where anything has developed out in a meaningful way. I have actually had a good friend who Richard knows – A.J. Kirkpatrick. He was down here on a night when we were having Art Walk, and he leaned over to me and he said, "I'm really struck by how long Main Street is." On any typical Art Walk night, you can feel how long it is at times, because there's action in certain areas, which creates an interesting dynamic. But if we're looking at just critical mass and how retail could be supported, if you include Gray Street, I think that you are lessening the potential of Main Street, that really has the most potential to be our area where critical mass of residential around can support those Main Street businesses and make them, regardless of what vacancies are right now, over time sustaining those vacancies and making them the best businesses they can be. If we start requiring Gray Street – and that was my concern with James Garner. I was interested in the transition of two blocks south of Main Street, that you had a little bit of transition of retail going down there, and I still like the allowance of retail. I don't think that there's any issue there, but requiring that, I believe, will create a dead area that will never be supported, because it's not our Main Street. You've got to think about the name alone. Main Street was the support of commercial businesses when the original development of Norman happened. We need to focus and pour as much effort into making that as good as it can be.

To your comments, surrounding that with residential is the smartest thing you could possibly do to make that go and to increase that critical mass to support those Main Street businesses. Main Street has come a long way in the last 10 years. It can be so much better. So much of that is because we do not have that critical mass of residential surrounding it. We do not have enough people to go and support those businesses to make it a vibrant, essentially 24-hour area, which is what you're trying to create.

But, going back to how that relates to the code, we need to get rid of the 3' stoops in the Urban General. How that works as far as egress and doors – you need some sort of setback – I don't know what the technical term for this would be, but the Bird building has a little inset area where the door swings 3' so it's not swinging out – alcove.

Mr. Adair – That's code. You can't swing it out over the sidewalk.

Mr. Brewer – Yeah. Exactly. If that's the solution, then that gets rid of the 3' and then you keep the commercial look. Because I agree that Gray Street needs to have an urban look to it. It doesn't necessarily need to be a neighborhood. So then that still allows for that mixed use potential, where you could have that dotted in retail store. I was recently in Charleston, which is really the prime example for New Urbanism in terms

of the biggest example for how New Urbanism should develop, even though you have 1850s buildings, and much prior to that in certain parts of the city. What I was struck by was there was a primary commercial district, and then you would go off and then the density of residential right off of that primary commercial district, but you still had this dotted in retail in certain areas. I'd say 90% of the side streets were residential.

To your point about office, I completely agree. The worst thing you could have happen – not to say that office on first floor is bad anywhere, but if the only thing that made sense economically is to put in office, then you're taking that from a street that has empty retail with a little bit of potential, to completely dead at certain parts of the day, where people are likely leaving the area, depending on where they live.

I've gone back and forth on this quite a bit. I really have. My biggest concern is watering down retail and what we can actually support, and making it the best it can be.

Mr. McCabe – We're about out of time, and I wanted to bring something up before it slips by. Jane, can you go back to page 10 for me? Only legal definitions, under Townhouse, it's a series of 3 or more attached dwelling units separated from one by another by continuous vertical party walls – vertical party walls. Okay? On a 50' lot, that's means my townhouse is 13.3' wide by this definition. And this is what you're trying to require me to build.

Page 32, under blue, it says on the frontage width, a newly subdivided townhouse lot shall not be a minimum of less than 18'. This definition is a complete contradiction to what's already here. Where I'm going with that is I understand we're trying to define it. I'll be the first to step up and say duplexes are not favorable because they've become mini-dorms. But a duplex is a type of building that is not inherently wrong. It is part of Daniel Parolek's missing middle. It's the way the use has been – it's not the duplex, the type of building itself.

Ms. Starr – But a duplex is not a townhouse, and we're trying to define townhouse.

Mr. McCabe – But if you want to go there, Anais, when we're talking about intent – and Lee has talked about that all the time. When we made this change, the intent was for us to be able to still build at the same R-3 development that we purchased in the property, and that was the reason why we changed from the pink to the blue. The same people that were in charge then said you can build the same product, you have to move it up. You have to this. The intent was to maintain the same viability of the dirt. So when we changed it, that was the intent. Because it was R-3, which is multi-family living. But if you're going to define a townhouse by this definition – by this definition it can only be 13.3' wide, and I can't build a 13.3' wide because of this and on a 50' lot. We're trying to clarify language as we build on 50'. Townhouses – I understand why we changed to townhouses. I understand. But, again, a duplex is a type of building that might have been morphed into something we don't like, but the type of building itself as a duplex is not wrong.

Councilmember Hickman – I understand what you're saying, Keith, about building a townhouse on a single lot sounds problematic, based on this definition and the

requirements. But a small apartment could be built on a single lot in the blue by this definition.

Mr. McCabe – So then what my question is, is if you're going to say it has to be a townhouse or a stacked unit, by this definition I can't build a stack house. You're just telling me I'm going to build stackable apartments, because I can't build this townhouse. So you're defining exactly the one structure I can build in the blue.

Councilmember Hickman – Well, it says including stacked flats. In my mind, and the pictures that I've seen, you could build what, I think in the charrette process, was called the mansion apartments, which was like a house that had – like we have right now down there that has 6 or 8 post office little mail slots, but from the street it looks like a big mansion house, but it's broken into multiple units. Like 1, 2, 3 bedroom units. I think even in that definition of a small apartment, that mansion style of a house would fit, or you could build the building – the small apartment building that you have a walk in and then, like I've kind of said before, has units and units – 3 stories of one or two units on each floor. So I think there are multiple – at least those two that come to my mind. There are different kinds of products that could be built, still on a single parcel perspective.

Mr. McCabe – Well, in the apartment building that you brought up before, again, the one that you described last deal – the apartment that was built down on Lindsey was on a 75' by 140' lot of 10,500 square foot. 10,500 square foot I am allowed a whole lot more leeway than I am on 7,000 square foot, which is the typical 50' by 140'. In that example that you gave of the 10,500 square foot example, there are 7 actual lots in the Center City Form Based Code that would even fit that 75' x 140' lot, and 3 of those have already been built on. So now to build that structure, what they built on Lindsey, I only have 4 viable lots even in this place to build.

So what my question is, I understand we all have a definition, and I think we're trying to get there. What I'm saying is that the duplex is not a bad building. Let's find a definition for the word duplex that we like, but to just eliminate a duplex – I don't agree.

Mr. McKown – It could be a useful tool, given House Bill 1034 – it's not a single-family dwelling unit. So one thing that we might want to consider doing – not trying to schedule anybody else's time, but maybe one of these very near future meetings could be to go have a product tour. Because I'm pretty sure that all of have a picture in our head of what's going on, particularly over on like Monnett and what used to be DeBarr – I don't know what it's called now.

Mr. McCabe – Dean's Row.

Mr. McKown – Dean's Row area. I have a feeling that there are buildings that have been built that are being imagined like it's terrible, but they're not part of this and they don't conform to the Form Based Code, and I think there are new buildings under construction that aren't finished yet that are getting lost in all of that confusion. I'm going to be over there this weekend. Bit of confusion. That's how we started way back at the beginning is we went on a product walk.

Councilmember Hickman – I'm open to that idea.

I just want to say this. I think this is important for everybody to keep in perspective. From my perspective, representing Ward 4, there's a difference in talking about these concepts. In the philosophical perspective of anywhere USA they could be. The reality is that we are talking about a piece of land that's near the University of Oklahoma that, without taking actions to address the way students are being stacked in these units – I don't care if you call it a duplex or what you call it – that's going to be what is built for residential purposes – period. That is not what the people want, and that's not what was envisioned. I'm not going to support anything that doesn't take action to address that. Because I understand what everybody is saying, and I respect it – don't get me wrong. But I think we all have to be realistic that the reality is that when you say the residential in this area, we can have all the visions in our minds of all the walkable communities, all the other great type of housing products, etc., but without proper restrictions – whether it's by definition or otherwise – in place, 99% of what's going to be built is going to be marketed toward students, because that's what makes the money. That's what sells. Those of us who want to create a live/work/play place – those of us who really want placemaking – those of us who really want missing middle housing – are not going to get it – are going to continue not to get it. I don't mean that in any disrespectful way toward you, Keith, because you and I are on the same page. But I feel like I have to say this out loud, because I want people to understand that that is the reality. This concept of Form Based Code and all of those things make perfect sense. I sit here and I shudder when I think about allowing residential on the ground floor in the orange and opening that up even broader in a context without the 3' step-up, because I am concerned – I agree that more residential housing can support retail. I totally get that. I'm not opposed to the idea, though, of offices as well, because I work downtown Oklahoma City and those people like me that work downtown during the day, we want to shop at shops during the day and spend money, and then at night, at that time, they want people living downtown, but now as more people are living downtown, now we've got a daytime clientele like office dudes like me, and the nighttime people that live downtown.

My main point I wanted to get off my chest, was when we talk about residential, I think everybody needs to understand that the primary target audience for that residential component right now are students. If we want to truly ensure that we can attract young professionals, do all those economic development things that I hear everybody talking about, we've got to figure out a way that the product that's available does not end up being what we have right now. I'm not saying I have the solution to what that is – if that means banning duplexes, if that means cranking up the impervious surface limits where they can't build as much concrete because we don't have stormwater in place. We've got sewers flooding and stormwater issues in this area. If that means a bedroom limit, which we might get preempted on. If that means adding more parking, which I know some people don't want, either. I don't know. But that needs to be one of the focuses of what we can accomplish and how we get there. We're going to have to put our heads together and figure out, because this meeting is about over and I'm going to be honest with you, we didn't make any decisions, and I'm disappointed. It's not anybody's fault, and I accept responsibility for that. But we've got a lot of work to do and we're going to have to figure out, when it

comes to the residential conversation, that's what I want everybody to think about when we come back next time. When we get done talking about the TIF and I'm going to tell you now – I'm not going to support any TIF money going toward residential construction that could end up being more residences for students. Right now that TIF money is intended for infrastructure and that's where I think it needs to stay until we can figure out these other issues. I'm just being up front. In my opinion, I don't want to hear any discussions about any developer incentives – anything along those lines until we solve what I feel like is the crux of the issue and why we pushed the administrative delay – which was the student housing issue with the duplexes, the cars all over the streets, things of that sort. So that's my rage that I feel like I needed to get off my chest.

Mr. Adair – Two quick comments. To the removal of the residential in the orange area – and I'm looking at James Garner. Gray Street, I think, is a separate discussion. Prior to Center City, we had community meetings that started on what I call the 6-story residential mid-rise and where it was appropriate. The blue area, I believe, is restricted to 3 stories, and the orange area along James Garner is where we envisioned you do the 6-story mid-rise.

To your comment about diluting retail, if we take the residential off the ground floor of that, then what's – it's not going to be offices down James Garner. When you take the residential off, I think you're going to retail there. So I'm questioning taking the residential off the ground floor there. Now, we may need some other restrictions.

Now, the other big shift that I'm seeing, and it's contrary to what you two – I was hearing you all and not agreeing with you last meeting on parking. Jane, the big shift I see today, and I think it is one of the answers, you said stay with the parking requirement we have at 3 bedrooms, which is I believe 1.5 units for 3 bedrooms. When you go to the 4th bedroom, it's one parking space per bedroom. So when you go from 3 to 4, you go from 1.5 to 4 parking spaces. I hope that's your solution to the 8 bedroom duplex. Let me say, when you go to 1 parking space per bedroom, you cut down density. You have not necessarily cut down impervious surface, but you have cut down density, because when you put in parking you lose a bedroom.

Councilmember Hickman – I want to be clear. I'm really talking to everybody, I guess. I want to be clear. I support density. Stephen and I have talked about this. I want the density; that's why I supported the Form Based Code. But I want it in a different look. Instead of having 12 or 16 bedrooms in 2 units, I want 6 units with 2 or 3 bedrooms, so that those units then could be a single family, young professionals, a grad student, retired couples, etc. We all know that a duplex with 6 or 8 bedrooms in it has a limited shelf life and no usability, and the people sitting here in 15-20 years are going to be dealing with a mess and be pissed off at people like us for not solving this problem. So, to me, it's not about density. Maybe it is in a way. But it's about the structure of the housing type that we are getting. That's why the idea – or the thought – or whatever you want to call it. If you only have 2 units on a lot, economically, I know you're going to have to pack as many people in there. I get it. If you could put more units on a lot and get the same effective amount of bedrooms, then maybe – then it can be a win-win. I don't know.

Mr. McCabe – I agree with you in reality, from somebody that is down there every day, the market is starting to dictate to where we used to have the older terrible houses that were sitting empty – some of these larger houses are now sitting empty longer than they were. So we're starting to see that infill in that area. So that area is going to dictate just from supply and demand. I'm just saying it's coming.

Mr. McKown – The 3' issue – I'm not going to let it go. I've had hold of that issue for a long time and I will not let it go. So if you take the grade shift – and I agree. What the old duplexes that are out there that are set way back with a row of parking spaces in front – horrible. Nobody wants to see any more of that. But if you were to project that forward to the edge of the sidewalk and keep the finished floor at the same elevation, it might not be 3' above, but it's certainly high enough above to create that defendable territory, because that grade is taken up in the slope across the yard. So just by pulling the building forward, we're going to get what we're after in terms of that separation. There's plenty of punitive measures we can take; this is the wrong one. When we use historic photos, and visual preference surveys, and we go grab something that was built before ADA regulations existed, that's unfortunate that we shove something in our mind that actually can't be built and be a building that has a long life and can host people of all ages, from 8 to 80 or whatever.

Councilmember Hickman – Richard, I don't – you can ask Keith. We were 2 hours over there meeting with an ad hoc group about accessibility. What I'm going to say is that I'm open to any discussion. You heard my rant about the thing that I want to solve. My number one thing I want to solve. But I'm open to anything else and how we solve that. But what I'm going to say is, on the accessibility conversation, if people want to have that, then I want to start talking about what's inside the building. Keith knows what those things are because we've been in the process of drafting a proposed City of Norman disability code that talks about electrical wall switches, electrical wall receptacles, step-free entrance, wall reinforcement, first floor restroom – and all those requirements that come along – not technically ADA compliant, because these are not required to comply with ADA under federal law – but creating a standard that's for smaller units, like these are. Because, to me, accessibility is a lot more than just getting in the front door. Like you said, you've got to put an elevator in. So if we're going to go down that road, then I'm inclined to want to go the whole way and start talking about, you know, 5' turnaround radius in the kitchen, things that make it truly universal design kind of guidelines that we don't have right now, necessarily, in Norman, but we could talk about it in this defined area.

Mr. McKown – Okay. So let's talk about this real quick basket of incentives for folks to go home and think of. This is great what Jim just identified, and I didn't miss it, either. If you go to 4 bedrooms in a given unit, now you have to provide 4 parking spaces. What if you compound that by removing the parking requirement if you do absolutely what we want and you build the small apartment? One of the things that Dan Parolek said, he's like don't do it – don't have any parking requirement if you want to get concentration of people down here and walkable – they'll figure out where to put their car somewhere else or come without a car, etc. We know we're headed there. More and more people are choosing to be carless, which is fascinating and wonderful, but

you could say, alright, if you build the building we want – and we need to define what that is – not only are here some TIF incentives, but you don't have any parking requirements to meet. Whereas, if you're going to build the duplex that we aren't happy with, you've got to meet this more punitive parking requirement, among other things that we might find that restrict it. We probably need to grab that same thing for the oddball single-family house that's inside the Form Based Code area – that may be a protection we can provide.

Last thing to think on this, if you build what we want, you can go side yard to side yard. So, instead of the 5' setback, now we're building all the way. Again, back to the duplex, you have to maintain your 5' setback, so you end up with less usable space anyway.

So there's a grouping of things that we could put together – that sort of stick/carrot combo – to start to get what we want.

Mr. McCabe – Maybe, because the duplex building, as built right now, in the blue is the problem. That is the problem. The bedrooms and the density. That's the problem. Is there a situation that we might want to consider – as he did about talking about the stoops – I love it, because I'm building one right now. But can we maybe – if this is the reason for the administrative delay, besides a few little things, but if this is the problem, can we maybe concentrate with the problem that's in front of us, instead of us spending 15 minutes at an end, and let's hit it head on. Let's figure it out.

Councilmember Hickman – Well, Keith, that's why these topics are going to be – so next meeting, we're going to talk about the TIF, the incentives, the infrastructure. Because it does relate to the density issue and the parking and things. Then we're going to pick back up on these topics. So everybody's homework is to think about these topics, how we can combine them together, and my hope is that by the next meeting we can come up with some answers to begin to craft ways to – Keith, I don't disagree with you. In theory, I have no problems with duplexes, either. But I've got to figure out a way to address a housing model that has no other useful life or likely tenant, if you will, than a bunch of students crammed in it. Because obviously, to me, that's basically a boarding house, and we have those already defined and those were not what was intended, in my mind, by the people putting together the Form Based Code.

Mr. McCabe – Then it was my intention is that neighborhood only had four owner occupants from Duffy to Boyd, railroad track to there. This has been slum lord forever. Until that model was defined. But where I stand is we chose that neighborhood to bulldoze completely and start brand new. So when we fight about preserving this, I started there 15 years ago and I'm fighting to preserve mine, not necessarily the form that's being built today, because I don't agree with and I don't own one. But by geographics, by the house structure that's there, there's not an owner occupant that we're displacing.

Councilmember Hickman – No, I understand, and I want to make it clear that – the hard truth is that if you live in the blue area on that map, it's open redevelopment and the boat has left the dock. I don't feel like that's our decision. The boat has left the dock. I'm trying to make sure that we get the actual missing middle housing so that we

can attract retirees, young professionals, because if we don't figure that out, guys, all of the conversations I've heard around town from all these other – Chamber, Economic Development people – trying to attract quality jobs, etc., we will lose that opportunity and it will be on us – and I mean that very strongly. Now that the TIF issue on North Park is kind of – whatever is going to happen up there is going to happen up there. The opportunity to have something in our core downtown that could revitalize it in a way with the live/work/play, the young professionals, etc. This is it. I mean this is our best chance, especially with the TIF in place – and nothing against the people who have built the duplexes that are that model – and I get it. That's why I say all of our conversations about residences we have to remember that the key demographic that's going to be the natural source of money to make these things pencil is students. I don't mean that in a bad way. But we have to be thoughtful of that, so how we draft what we come up with is going to be important, from my perspective.

Mr. McCabe – Maybe the question is exactly where we started this 5 years ago. It all became the blue. The actual cutoff that they had was Duffy. Duffy was the pink and we felt like it was a downgrade from the existing deal. We always talked about from Duffy north to Main Street was the urban professional. They want to be on Main Street. They want to be around their businesses. But Duffy south is college kids; it is what it is. It's kids. I'd always choose that place at Duffy as my dividing point. I don't travel – houses are houses. But from Duffy to Boyd, railroad track to Asp, has been kids for life. There's nothing there – and I'm not saying you can't build, but there's nothing there for a young professional. They don't want to go to 747, because there's kids. But now you talk up there at Comanche and Symmes and there, you've got downtown – you've got the walkability. You've got everything you're talking about.

Councilmember Hickman – Maybe what I hear you saying is maybe we bring back the pink, that actually defines duplexes, and put that south of Duffy.

Mr. McCabe – All my intent was – and Richard will tell you when I sat here and negotiated from pink to blue – we just did not want a reduction in what we could build. Maybe we need a redefinition, but I purchased R-3 property at a certain price, and I expect to be able to utilize it at that certain price. That was it. We didn't sit down and define what a townhouse was. We didn't define – it was just – the blue was closer to what we want to build than what we heard we were going to build in the pink. So we just negotiated. It was the truth.

Mr. McKown – Can you bring a set of plans next time for the thing you're building that meets the code?

Councilmember Hickman – So Byron and Keith – I'm going to ask you all – could you sketch something – whatever – like now that we have these definitions, a typical lot in the Form Based Code area of – I'm sure you already have the duplex one – but I'm in particular interested like in the small apartment or townhouse, if that was even possible.

Mr. McCabe – I actually already have them drawn. Townhouses, flats, as you said. These are the same plans that we drew four years ago. They're flats. They're

townhouses. The connect. We can do. These are the same plans that we had drawn dealing with the issues of the stoops – dealing with all of this stuff.

Councilmember Hickman – Okay. We're going to take this up at another meeting.

Adjourned 4:22 p.m.